

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

Case No. 2:18-cv-530

**DEFENDANT NORFOLK SOUTHERN RAILWAY COMPANY’S MOTION
IN LIMINE TO EXCLUDE EVIDENCE AND ARGUMENT
ON CSX’S LOSS OF CUSTOMER CONTRACTS**

Defendant Norfolk Southern Railway Company (“NS”), by counsel, submits this Motion in Limine under Federal Rule of Evidence 703 and 802 seeking to prohibit Plaintiff CSX Transportation, Inc. (“CSX”) from offering at trial any evidence or argument that CSX lost, or was not awarded, contracts with ocean shippers as a result of any conduct of Defendants. CSX and its expert rely solely on inadmissible hearsay to make this claim. As set forth in the accompanying memorandum, NS respectfully requests that the Court grant this Motion and any other relief the Court deems appropriate.

Dated: May 4, 2021

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY COMPANY

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